

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SECOND DAY OF FEBRUARY  
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE SRI JUSTICE N.V. RAMANA**

**WRIT PETITION NO.14303 of 1998**

Between:

1 Labour Contract Co-operative Society, rep.by it's President K.Sree

Ramulu, Panagal, Nalgonda District.

2 Maheswara Vigneshwara Wadera Labour Contract Co-operative Society

Ltd., rep.by it's President S.Mahesh, Panagal,  
Nalgonda District.

3 Maheswara Parameswari Waddera Labour Contract Co-operative

Society Ltd., rep.by it's President G,Sathaiah, Narket Pally,  
Nalgonda District.

4 K.Adinarayana (Waddera),  
Panagal, Nalgonda District.

5 Sri Anjaneya Labour Contract Co-operative Society Ltd.,  
rep.by it's President G.Narayana, Mehaboobnagar District.

6 Yellamma Waddera Labour Contract Co-operative Society Ltd.,  
rep.by it's President K.Papaiah, Bollarigudem,  
Palwancha Mandal, Khammam District.

7 Sri Laxmi Waddera Labour Contract Co-operative Society Ltd.,  
rep.by it's President T.Srinivas, Ganjal Village, Nirmal Mandal,  
Adilabad District.

8 Waddera Labour Contract Co-operative Society Ltd.,  
rep.by it's President Ch.Narayana, Ramakrishnapuram,  
Chintakani Mandal, Khammam District.

9 B.Venkata Narsamma(waddera),  
Dwaraka Nagar, Khammam Distict.

10 Pallapu Venkaiah, S/o. Narayana,  
Mulakapally, Khammam Distict.

11 Thirumala Labour Contract Co-operative Society Ltd., rep.by it's

President S.Dasarath, Akkapur, Nirmal Mandal,  
Adilabad District .

12 R.Kishan Rao,  
Sivaji Nagar, Nizamabad.

13 G.Butchaiah,  
Kupanpally, Nizamabad.

**..... PETITIONERS**

AND

- 1 The Superintending Engineer, R&B Circle,  
Ananthapuram.
- 2 The Superintending Engineer, T.P.P.,HLC Circle,  
Ananthapuram.
- 3 The Superintending Engineer, Irrigation Circle,  
Ananthapuram.
- 4 The Superintending Engineer, S.L.B.C. CircleI&II,  
G.V.Gudem, Nalgonda.
- 5 The Superintending Engineer, Irrigation Circle,  
Nirmal , Adilabad.
- 6 The Superintending Engineer, P.J.P. Circle,  
Pebbair, Mehaboobnagar.
- 7 The Superintending Engineer, Panchayatraj Circle,  
Warangal.
- 8 The Superintending Engineer, Irrigation Circle,  
Warangal.
- 9 The Superintending Engineer, N.S.P.Circle,  
Tekulapally, Khammam .
- 10 The Superintending Engineer, Panchayatraj Circle,  
Nalgonda.
- 11 The Superintending Engineer, R&B Circle(Rural),  
Balkampet, Hyderabad.
- 12 The Superintending Engineer, Irrigation Circle,  
Nizamabad.
- 13 The Superintending Engineer, R&B Circle,  
Warangal.
- 14 The Superintending Engineer, R&B Circle,  
Nizamabad.

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue appropriate writ, order or direction more particularly in the nature of Writ of Mandamus declaring the action of the respondents in insisting the petitioner societies for payment of Earnest Money Deposit, Commercial tax clearance certificate or imposing any condition or experience in connection with all tender notices issued on or after 3.3.1998 is illegal, arbitrary and unreasonable and consequently direct the respondents to issue tender schedules without insisting the Earnest Money Deposit upto any value of the work, Commercial tax clearance certificate and Experience certificate in connection with all tender notices issued on

or after 3.3.1998 by following G.O.Ms.No.178 dt.27-9-97 irrespective of District/Mandal which ever they register.

**Counsel for the Petitioners: MR.KOONA REDDY ANJI REDDY (Not present)**

**Counsel for the Respondents: GP FOR IRRIGATION & COMM AREA DEV.**

**The Court made the following:**

**ORDER:**

-

Questioning the action of the respondents in insisting the petitioners-Societies for payment of Earnest Money Deposit, Commercial Tax Clearance Certificate in connection with all tender notices issued on or after 03.03.1998 irrespective of District/Mandal as illegal and arbitrary, the present writ petition is filed.

When the matter is taken up today, none appears for the petitioners. Learned Government Pleader appearing for the respondents, on instructions, submits that by lapse of time the prayer in the writ petition has become infructuous.

Recording the said submission, the writ petition is dismissed as having become infructuous. No costs.

---

**N.V. RAMANA, J.**

Date: 22.02.2005

Nsr

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

- 1 The Superintending Engineer, R&B Circle,  
Ananthapuram.
- 2 The Superintending Engineer, T.P.P.,HLC Circle,  
Ananthapuram.
- 3 The Superintending Engineer, Irrigation Circle,  
Ananthapuram.
- 4 The Superintending Engineer, S.L.B.C. CircleI&II,  
G.V.Gudem, Nalgonda.
- 5 The Superintending Engineer, Irrigation Circle,  
Nirmal , Adilabad.
- 6 The Superintending Engineer, P.J.P. Circle,  
Pebbair, Mehaboobnagar.
- 7 The Superintending Engineer, Panchayatraj Circle,  
Warangal.
- 8 The Superintending Engineer, Irrigation Circle,  
Warangal.
- 9 The Superintending Engineer, N.S.P.Circle,  
Tekulapally, Khammam .
- 10 The Superintending Engineer, Panchayatraj Circle,  
Nalgonda.
- 11 The Superintending Engineer, R&B Circle(Rural),

Balkampet, Hyderabad.

12 The Superintending Engineer, Irrigation Circle,  
Nizamabad.

13 The Superintending Engineer, R&B Circle,  
Warangal.

14 The Superintending Engineer, R&B Circle,  
Nizamabad.

15 Two CCs to GP for Irrigation and Commercial Area Development,

High Court of AP, Hyderabad (OUT)

16 2 CD copies

*Form-NIC-OGS/WP{**TML**}*